

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. **Applicants/Contact names and addresses:**

Michael R. & Marlo G. V. Maddy
50230 US Highway 93 Ste 4
Polson, MT 59860-7069

2. **Type of action:** Surface Water Application for Beneficial Water Use Permit 76LJ 30151447

3. **Water source name:** Ronan Creek (Lake Mary Ronan) – hereafter Lake Mary Ronan

4. **Location affected by project:**

- Government Lot 1, NENE Section 22, Township 25N, Range 22W, Lake County, Montana.
- SENE Section 22, Township 25N, Range 22W, Lake County, Montana.
- Government Lot 1, NWNW Section 23, Township 25N, Range 22W, Lake County, Montana.
- SWNW Section 23, Township 25N, Range 22W, Lake County, Montana.

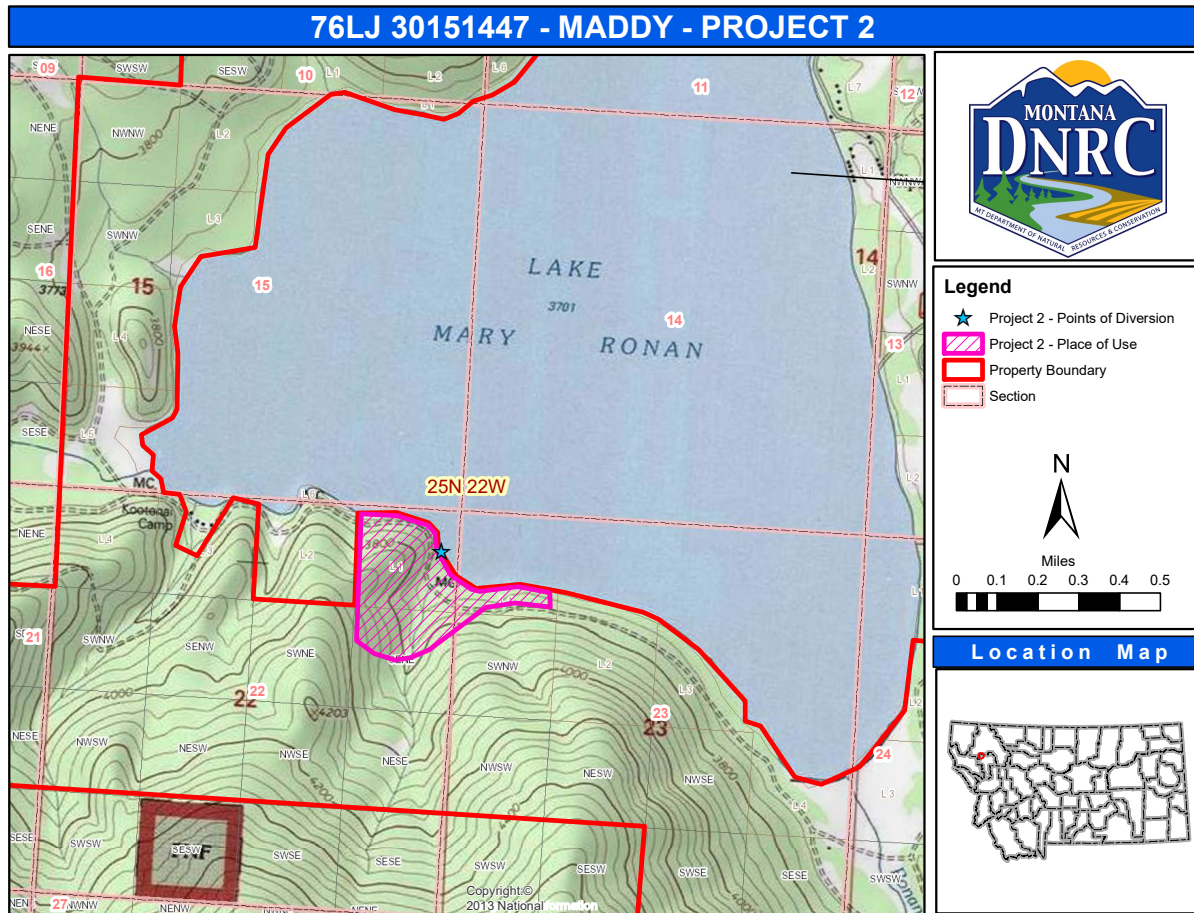


Figure 1. Map of the proposed place of use and point of diversion.

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicants propose to divert water from Ronan Creek (Lake Mary Ronan) (hereafter Lake Mary Ronan) using a pump from January 1 – December 31. Applicants request a 196.0 GPM flow rate up to an annual volume of 95.2 AF for:

- i. commercial use (11.1 AF to supply multiple commercial facilities including a restaurant, hotel, campground, marina, bathhouse, event center, and convenience store);
- ii. multiple domestic use (20.2 AF to supply 20 luxury rental residences); and,
- iii. lawn and garden irrigation (63.9 AF applied to 30.0 acres).

Commercial and multiple domestic uses will occur from January 1 – December 31 and lawn and garden irrigation will occur from April 15 – October 15. The Applicants propose to divert water using two identical pumps, a primary pump and a redundant pump. Only one pump will operate at any given time, with the redundant pump operating only if the primary pump is out of service.

The points of diversion (POD) are located in Lake Mary Ronan offshore of Government Lot 1, NENE Section 22, Township 25N, Range 22W, Lake County, Montana (Figure 1). The places of use (Figure 1) are:

- i. Government Lot 1, NENE Section 22, Township 25N, Range 22W, Lake County, Montana.
- ii. SENE Section 22, Township 25N, Range 22W, Lake County, Montana.
- iii. Government Lot 1, NWNW Section 23, Township 25N, Range 22W, Lake County, Montana.
- iv. SWNW Section 23, Township 25N, Range 22W, Lake County, Montana.

The POD is in the Upper Flathead River Basin (76LJ), in an area that is not subject to water right basin closures or controlled groundwater area restrictions. This place of use is located approximately 2.0 miles north of the Flathead Indian Reservation's most northern boundary. No supplemental water rights exist.

The DNRC shall issue a water use permit if the applicant proves the criteria in 85-2-311 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:

- U.S. Fish and Wildlife Service (USFWS): National Wetlands Inventory Wetlands Mapper
- Montana Natural Heritage Program: Endangered, Threatened Species, and Species of Special Concern
- Montana Department of Fish Wildlife & Parks (DFWP): Dewatered Stream Information
- Montana Department of Environmental Quality (MDEQ): Clean Water Act Information Center
- U.S. Natural Resource Conservation Service (NRCS): Web Soil Survey

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

A dam/dike structure and corrugated metal pipe with a head gate is on private land at the head of Ronan Creek and holds and controls the waters of the reservoir known today as Lake Mary Ronan. Releases are controlled by a private individual for irrigation claims downstream of Lake Mary Ronan. The headwaters of Ronan Creek are listed as periodically dewatered by DFWP.

Use of water for this permit is not associated with storage impounded by the dam and thus is not likely a significant contributing factor to dewatering.

Determination: No significant impact.

Water quality - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

According to the MDEQ Clean Water Act Information Center's 2020 Water Quality Information, Lake Mary Ronan is listed as "Threatened" for aquatic life due to Chlorophyll-a (no TMDL completed). No other beneficial use categories are currently listed as "Threatened". Probable sources of impairment to aquatic life may stem from: Silviculture Activities, Agriculture, or Grazing in Riparian or Shoreline Zones. Lake Mary Ronan's Water Quality Category is "4C," meaning identified threats or impairments result from pollution categories such as dewatering or habitat modification and thus, a TMDL is not required. The proposed project will not affect water quality.

Determination: No significant impact.

Groundwater - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Determination: N/A, this project diverts from a surface water source.

DIVERSION WORKS - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

via a Goulds model 4BF 10-HP pump, controlled by a Danfoss Aquadrive Variable Frequency Drive (VFD). Two identical pumps will be located at the proposed POD as required for redundancy by the MT Department of Environmental Quality (DEQ), but they will not operate simultaneously. This water system will be a registered Public Water Supply (PWS) under DEQ jurisdiction. The final system will be designed to meet DEQ PWS standards and DEQ must review and approve final design. The project Professional Engineer will certify to DEQ that the system has been constructed in accordance with the approved plans prior to the system entering service.

The system will use a floating 4-inch diameter pressurized PVC intake line extending approximately 200-feet into the lake at a sufficient depth to prevent freezing and to reduce the intake of debris. The main pump will draw water through the intake line and pass it through a DEQ-approved water treatment system. The redundant pump will be coupled with its own redundant treatment system to ensure water delivery in the event of the failure or maintenance of one of the pumps and/or treatment systems.

From the treatment system, a booster pump will convey water to a 50,000-gallon storage tank located at a high point on the property. The storage tank is sized to provide enough treated water to satisfy maximum day and peak hourly demand. Water from the storage tank will be distributed through 8-inch water mains and one-inch service lines connecting to each lot.

The total dynamic head (TDH) of the system is 103-feet, based on the End Suction Variable Speed Pump Station Proposal provided by the pump station vendor MCI Flowtronex. The TDH includes the elevation lift and friction losses to convey the water from the intake to the storage tank.

The pump is capable of producing 196.0 GPM and of supplying water to the storage tank at 103-foot TDH based on the applicant-provided system specifications. This flow rate will allow the Applicants to fill the storage tank which will be sized to provide enough water meet maximum day and peak hourly demand. The Department finds the system capable of producing and distributing the requested flow rate of 196.0 GPM and annual volume of 95.2 AF.

This project will not create any channel impacts, flow modifications, barriers, dams, or riparian impacts to Lake Mary Ronan, nor will it affect any wells.

Determination: No significant impact.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants, aquatic species, or any “species of special concern,” or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”

The Montana Natural Heritage Program website was reviewed to determine if there are any threatened or endangered fish, wildlife, plants, aquatic species, or any “species of special concern” in Township 25N, Range 22W that could be impacted by the proposed project. 11 animal and one plant species of concern (Tables 1 and 2, respectively) were identified within the township and range where the project is located. Of these species, the Grizzly Bear (*Ursus arctos*) is listed as threatened by the USFWS. This area is already developed, and it is not anticipated that any species of concern will be further impacted by the proposed project.

Table 1. Animal Species of Concern			
Hoary Bat (<i>Lasiurus cinereus</i>)	Long-eared Myotis (<i>Myotis evotis</i>)	Little Brown Myotis (<i>Myotis lucifugus</i>)	Fisher (<i>Pekania pennanti</i>)
Grizzly Bear (<i>Ursus arctos</i>)	Northern Goshawk (<i>Accipiter gentilis</i>)	Great Blue Heron (<i>Ardea herodias</i>)	Common Loon (<i>Gavia immer</i>)
Great Gray Owl (<i>Strix nebulosa</i>)	Western Toad (<i>Anaxyrus boreas</i>)	Westslope Cutthroat Trout (<i>Oncorhynchus clarkii lewisi</i>)	

Table 2. Plant Species of Concern
Greenleaf Manzanita (<i>Arctostaphylos patula</i>)

Determination: No significant impact.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: N/A, project does not involve wetlands.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: N/A, project does not involve ponds.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

See Table 3 for a list of soil types found within the proposed project area. The development of the 20 luxury residential lots and commercial infrastructure may impact the soils in the project area during construction. The preliminary subdivision plat has not yet been finalized or approved. Subdivision plat must meet MDEQ and county planning standards for approval and Best Management Practices must be used during development to reduce soil degradation. It is not anticipated that issuance of a water use permit to serve the proposed multiple domestic use, commercial use, and irrigation of 30.0 acres of lawn and garden will contribute to degradation of soil quality, stability, or moisture content.

Table 3. Soils			
Soil Name	Parent Material	Capacity of the Most Limiting Layer to Transmit Water	Maximum Salinity
Courville gravelly silt loam, 15 to 30 percent slopes	Volcanic ash over glacial till	Moderately high to high	Not stated
Courville gravelly silt loam, 30 to 60 percent slopes	Volcanic ash over glacial till	Moderately high to high	Not stated
Mitten very gravelly silt loam, 30 to 60 percent slopes	Volcanic ash over colluvium derived from quartzite and/or colluvium derived from argillite	Moderately high to high	Not stated
Winkler very gravelly loam, cool, 30 to 60 percent slopes	Colluvium	Moderately high to high	Not stated
Winfall very gravelly loam, 15 to 30 percent slopes	Glacial till	Moderately high to high	Not stated

Determination: No significant impact.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Existing vegetative cover will be disturbed during project construction. Noxious weed prevention and control will be the responsibility of the landowners, who must follow local noxious weed regulations. It is not anticipated that issuance of a water use permit will contribute to the establishment or spread of noxious weeds in the project area.

Determination: No significant impact.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

There will be no impact to air quality associated with issuance of the proposed permit for beneficial use of surface water.

Determination: No significant impact.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

Determination: N/A, project not located on State or Federal Lands.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water, and energy not already addressed.*

All impacts to land, water, and energy have been identified and no further impacts are anticipated.

Determination: No significant impact.

<h2>HUMAN ENVIRONMENT</h2>

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

The project is consistent with planned land uses.

Determination: No significant impact.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

The proposed project will not inhibit, alter, or impair access to present recreational opportunities in the area. The project is not expected to create any significant pollution, noise, or traffic congestion in the area that may alter the quality of recreational opportunities. The proposed place of use and diversion do not exist on land designated as wilderness.

Determination: No significant impact.

HUMAN HEALTH - *Assess whether the proposed project impacts human health.*

No negative impact on human health is anticipated from this proposed use.

Determination: No significant impact.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*

Yes___ No X If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: No impact.

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

- (a) Cultural uniqueness and diversity? None identified.
- (b) Local and state tax base and tax revenues? None identified.
- (c) Existing land uses? None identified.
- (d) Quantity and distribution of employment? None identified.
- (e) Distribution and density of population and housing? None identified.
- (f) Demands for government services? None identified.
- (g) Industrial and commercial activity? None identified.
- (h) Utilities? None identified.
- (i) Transportation? None identified.
- (j) Safety? None identified.

(k) Other appropriate social and economic circumstances? None identified.

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts: None identified.

Cumulative Impacts: None identified.

3. *Describe any mitigation/stipulation measures:*

None.

4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*

The only alternative to the proposed action would be the no action alternative. The no action alternative would not authorize the diversion of water from Lake Mary Ronan.

Part III. Conclusion

1. *Preferred Alternative*

Issue a water use permit if the Applicant proves the criteria in 85-2-311 MCA are met.

2. *Comments and Responses*

None.

3. *Finding:*

Yes___ No X Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

No significant impacts related to the proposed project have been identified.

Name of person(s) responsible for preparation of EA:

Name: Travis Wilson

Title: Water Resource Specialist

Date: September 10, 2021